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## THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Mitsuru UESUGI, et al. Art Unit: 2631

Application No.: 10/069,009

Filed: February 20, 2002

For: ADAPTIVE MODULATION COMMUNICATION SYSTEM

INFORMATION DISCLOSURE STATEMENTAssistant Commissioner of Patents  
Washington, DC 20231

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MAY 05 2004

Technology Center 2600

Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. All of these references were cited in a Japanese Office Action dated February 10, 2004 (English translation attached).

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,

James E. Ledbetter  
Registration No. 28,732

Date: May 4, 2004

JEL/spp

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